

**REMARKS**

Claims 1-6 are all the claims pending in the application.

Claims 5 and 6 are new. Support for claims 5 can be found on page 69, lines 18-20 and examples on page 165 of the specification. Support for claim 6 can be found in original claim 1.

Claims 1-4 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over any one of Bringley et al., U.S. Patent No. 6,340,564 ("Bringley '564"), Bringley et al., U.S. Patent No. 6,426,180 ("Bringley '180"), or Allway et al., U.S. Patent No. 6,455,242 ("Allway") in view of any one of Ogawa et al., U.S. Patent No. 4,686,175 ("Ogawa"), Fukawa et al., U.S. Patent No. 5,766,820 ("Fukawa") or Yamada et al., U.S. Patent No. 5,851,753, ("Yamada").

Applicants submit that one of the features of the present invention is that a colloidal silver-containing nonlight-sensitive layer or a nonlight-sensitive layer adjacent to the colloidal silver-containing nonlight-sensitive layer contains a development inhibitor releasing compound (DIR compound).

Ogawa merely discloses a technique of adding a DIR compound to a light-sensitive layer (an emulsion layer) or a layer adjacent thereto. It does not disclose adding a DIR compound to a colloidal silver-containing nonlight-sensitive layer or a nonlight-sensitive layer adjacent thereto, as claimed in the present application. Additionally, neither Fukawa nor Yamada discloses a colloidal silver-containing nonlight-sensitive layer or discloses the constitution of a silver halide color photosensitive material. Therefore, although Ogawa, Fukawa, and Yamada disclose a DIR compound, none of the references discloses or suggests adding a DIR compound to a colloidal silver-containing nonlight-sensitive layer or a nonlight sensitive layer adjacent thereto. In view

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of that, even if a person skilled in the art conceived adding a DIR compound to a light-sensitive layer (an emulsion layer) or a layer adjacent thereto by combining any of the above three references with Bringley '564 or '180 or Allway, that person would not achieve the present invention, in which a DIR is added to a colloidal silver-containing nonlight-sensitive layer or a nonlight-sensitive layer adjacent thereto.

Further, the present invention produces a unexpected advantage, which cannot be obtained by the references. That is, the present invention provides a photosensitive material, which exhibits a small fluctuation in photographic properties due to a development process thereof, and which exhibits an improved fluctuation in photographic properties due to the storage thereof. This advantage cannot be obtained by simply adding a DIR compound to a photosensitive material, and would have been unexpected to a person skilled in the art.

Accordingly, the present invention would not be obvious to one of ordinary skill in the art and Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

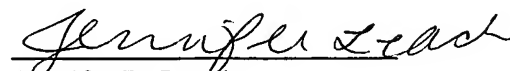
Respectfully submitted,

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WASHINGTON OFFICE

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